

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 26, 1947
11:00 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller,
Councilman Thornberry - 5
Absent : None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with .

Pursuant to published notice thereof, the public hearing on the application of Jack Taylor, by Chas. H. Page, Jr., to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District and First Height and Area District to "B-1" Residence District and Second Height and Area District, to-wit:

Lot 13, Longview Terrace, Outlot 31, Division "D",
being known as 2315 Longview Street, in the City
of Austin, Travis County, Texas,

was duly opened.

Chas. H. Page, Jr., and Jack Taylor, proponents, plead for the change on the ground that additional room is needed for the erection of a 12-unit apartment house on Lot 14, corner of Longview and West 24th Streets.

E. H. Smartt, Attorney, representing F. R. Haile and Milam F. Thurman, property owners, appeared to protest the change, but withdrew objections

after learning the proposed use of the property.

No other property owner or interested person desiring to be heard, Councilman Thornberry moved that the hearing be closed and the change be granted; and the City Attorney be instructed to prepare the ordinance making the change effective. The motion carried by the following vote;

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of S. G. Garrett, by Charles F. Herring, Attorney, to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "B" Residence and Second Height and Area District to "C" Commercial District and First Height and Area District, to-wit:

Lot 7, Hancock Park Addition, Outlot 22, Division "C", being located on the east side of Red River Street and south side of Keith Lane, in the City of Austin, Travis County, Texas,

was duly opened.

Chas. F. Herring, Attorney, representing S. G. Garrett, proponent, appeared to plead for the change.

No property owner or other interested person appeared to protest the change.

Thereupon Councilman Johnson moved that the hearing be closed and the recommendations of the Board of Adjustment be sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance making the change effective. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The application of Mr. and Mrs. W. L. Brown for change in zoning, from "A" Residence District to "C" Commercial District, of 400 feet on the north side of 51st Street between Georgetown Road and Guadalupe Street, final action on which has been pending, came up for consideration.

Gibson Randle, Attorney, representing Mr. and Mrs. W. L. Brown, appeared on behalf of his client's application, affirming that two of the objectors had withdrawn their objections, and that F. M. Hughs and E. C. Harsch, protestants, had agreed to withdraw their objections if the change is limited to 260 feet only.

Councilman Glass then moved that the change in zoning of the above described property, from "A" Residence District to "C" Commercial District, be granted for a distance of 260 feet only, instead of the 400 feet requested in the application; and that the City Attorney be instructed to

prepare the ordinance accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of John B. Loveless for change in zoning, from "A" Residence District to "C" Commercial District, of the east 9.5 feet of Lot 3, Block "E", Bouldin Addition, located on the south side of West Mary Street west of South 1st Street, was received. Councilman Glass moved that the application be referred to the Board of Adjustment for consideration and recommendation; and that a public hearing on the matter be called for Thursday, December 18, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Mrs. L. C. Banks came before the Council and requested that the City remove six large trees at 711-717 West Avenue belonging to the City, which had been killed by her. The request was taken under advisement, pending an inspection of the premises to determine the City's obligation, if any, in the matter.

Councilman Bartholomew moved that a public hearing on the application of Westernfield Development Company, by Tom Graham, for change in zoning, from "A" Residence District to "C" Commercial District, of Lots 1 and 22, Tarry-Town be called for Thursday, December 18, 1947, at 11:00 A.M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Thornberry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin holds an easement for the construction and maintenance of a storm sewer across Lot 94, of Tarry-Town No. 6, a subdivision of a portion of the George W. Spear League within the City of Austin, Travis County, Texas, according to a map or plat of said Tarry-Town No. 6 of record in Book 4, at pages 88 to 89 of the Plat Records of Travis County, Texas; and

WHEREAS, the City of Austin does not now need or desire an easement across said parcel of land except the west five (5) feet of Lot 94, Tarry-Town No. 6; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed, in the name of the City of Austin, to release and quitclaim the storm sewer easement across Lot 94, of Tarry-Town No. 6, save and except the west five (5) feet of said lot.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of CHRIS G. LUCIO, 89 Navasota Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of ERNEST RAY GOODE, Colored, 1605 Leona Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of JAMES MCKINLEY, Colored, 2502 East 12th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of ROYAL CAFE, 300 East 5th Street, by W.R. Schneider, for a retail dealer's on-premise beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the English Lutheran Church has presented to the City Council of the City of Austin, a request for permission to construct, maintain, and operate a gas line and water line across Whitis Avenue Alley at a location approximately 91 feet north of the north line of West 30th Street within the City of Austin, Travis County, Texas; and

WHEREAS, the above connection is necessary to serve a Boy Scout Hut located on the church property; and

WHEREAS, the Director of Public Works has recommended that said installation be approved and the City Council of the City of Austin has reviewed and considered said recommendation; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the English Lutheran Church be, and the same is hereby, permitted to install a gas line and water line across Whitis Avenue Alley at a location approximately 91 feet north of the north line of West 30th Street within the City of Austin, Travis County, Texas;

The construction, maintenance, and operation of the aforesaid utility lines shall be carried out at the expense of the applicant and under the direction and supervision of the Director of Public Works, or his duly authorized representative, and shall have a minimum cover of 30 inches, and in the acceptance of this permit, the English Lutheran Church assumes all damages which may occur to public or private property by virtue of the aforesaid utility lines'being placed across Whitis Avenue Alley at the location described above.

It is further understood that any damages whatsoever caused to existing utilities during the course of construction, maintenance, or operation of said utility lines shall be paid for by the applicant above named.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

A petition signed by Thomas Bros. Lumber Company and other property owners between 5th and 1st Streets on Springdale Road, and between Springdale Road and Tillery Streets on 1st Street, asking that the City Council assist them in getting gas extension to this section, was received. The matter was referred to the Texas Public Service Company, with the request that the extension be made as soon as possible.

Councilman Johnson moved that the City Manager be instructed to advertise for bids on the sale of certain properties belonging to the City of Austin, to-wit: two hundred feet (200') of the Butler Tract lying north of the Austin Motor Truck Sales Company, and the Click Farm, the proceeds from the sale of said Butler Tract to be used in the development of the remainder of the tract, and the proceeds from the sale of the Click Farm to go into the general revenues of the City; said bids to be received on December 17, 1947, with the right to reject any or all bids being reserved. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved:

Tom Miller
MAYOR

Attest:

Helene M. Keen

CITY CLERK